

[Docket No. CP95-502-000, et al.]

Columbia Gas Transmission Corporation, et al.; Natural Gas Certificate Filings

June 1, 1995.

Take notice that the following filings have been made with the Commission:

1. Columbia Gas Transmission Corporation

[Docket No. CP95-502-000]

Take notice that on May 17, 1995, Columbia Gas Transmission Corporation (Columbia), 1700 MacCorkle Avenue, S.E., Charleston, West Virginia 25314, filed in Docket No. CP95-502-000 a request pursuant to Sections 157.205 and 157.211 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.211) for authorization to operate as jurisdictional facilities, two existing delivery point facilities, constructed under Section 311 (a) of the Natural Gas Policy Act of 1978, under Columbia's blanket certificate issued in Docket No. CP83-76-000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Columbia proposes to operate as jurisdictional facilities an existing delivery point located in Stark County, Ohio to serve Power Resources Operating Company and an existing delivery point located in Clay County, West Virginia to serve Wagner Gas Company. Columbia asserts that these facilities would be used for Part 284 Subpart G transportation service under Columbia's Blanket Certificate in Docket No. CP86-240-000. Columbia states that deliveries to the Stark County point, which cost \$35,400, would be 4,000 Dth of gas per day and deliveries to the Clay County point, which cost \$13,562, would be 10 Dth of gas per day.

Columbia states that the quantities of gas to be provided through the new delivery points would be within its authorized level of services and there would be no adverse impact on its existing customers.

Comment date: July 17, 1995, in accordance with Standard Paragraph G at the end of this notice.

2. ANR Pipeline Company

[Docket No. CP95-507-000]

Take notice that on May 22, 1995, ANR Pipeline Company (ANR), 500 Renaissance Center, Detroit, Michigan 48243, filed a request with the Commission in Docket No. CP95-507-000 pursuant to Sections 157.205 and 157.211 of the Commission's

Regulations under the Natural Gas Act (NGA) to construct and operate an interconnection to the City of Gallatin (Gallatin), authorized in blanket certificate issued in Docket No. CP82-480-000, all as more fully set forth in the request on file with the Commission and open to public inspection.

ANR proposes to construct an interconnection which would consist of a tie-in that would provide delivery of natural gas to the City of Gallatin, located in Harrison County, Missouri. The interconnection would consist of a tie-in to ANR's existing 4-inch lateral, one 2-inch turbine meter, one 2-inch displacement meter, electronic measurement and a yard building in addition to approximately 100 feet of 3-inch yard pipe. ANR states that the costs of the proposed facilities would be approximately \$162,000 and further states that facilities would provide Gallatin with a maximum capacity of 10 Mmcfd.

Comment date: July 17, 1995, in accordance with Standard Paragraph (G) at the end of this notice.

3. Northern Natural Gas Company

[Docket No. CP95-515-000]

Take notice that on May 24, 1995, Northern Natural Gas Company (Northern), 1111 South 103rd Street, Omaha, Nebraska 68124-1000, filed a prior notice request with the Commission in Docket No. CP95-515-000 pursuant to Section 157.205 of the Commission's Regulations under the Natural Gas Act (NGA) for authorization to upgrade an existing delivery point in Cumings County, Nebraska, under Northern's blanket certificate issued in Docket No. CP82-401-000 pursuant to Section 7 of the NGA, all as more fully set forth in the request which is open to the public for inspection.

Northern proposes to upgrade the existing West Point Town Border Station (TBS) #1, Cumings County, Nebraska, in order to accommodate natural gas deliveries to UtiliCorp United Inc. (UCU) under currently effective throughput service agreements. Northern states that the incremental peak day and annual gas deliveries at the West Point TBS #1 would increase by 451 MMBtu and 17,740 MMBtu, respectively. Northern further states that the total volumes to be delivered to UCU would not exceed the currently certificated volumes and that Northern's tariff does not prohibit the proposed upgrade.

Northern also states that the upgrade would enable Northern to meet peak day requirements, maintain the operational integrity and efficiency of

the meter, and assure UCU's continuous service to their residential, industrial, and commercial customers. Northern estimates that the proposed West Point TBS #1 upgrade would cost approximately \$15,000.

Comment date: July 17, 1995, in accordance with Standard Paragraph (G) at the end of this notice.

4. Enron Gulf Coast Gathering, Limited Partnership

[Docket No. CP95-516-000]

Take notice that on May 25 1995, Enron Gulf Coast Gathering, Limited Partnership (EGCG), P. O. Box 1188, Houston, Texas 77251-1188, filed a petition in Docket No. CP95-516-000, requesting that when EGCG acquires Northern Natural Gas Company's (Northern) Matagorda Offshore Pipeline System (MOPS), located in offshore and onshore Texas, that the Commission declare that the MOPS facilities are gathering facilities exempt from the provisions of the Natural Gas Act (NGA), all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

It is stated that on May 24, 1995, EGCG and Northern entered into a contract where EGCG will acquire MOPS from Northern, subject to certain conditions, including a determination by the Commission that the MOPS' facilities are nonjurisdictional gathering facilities not subject to Commission jurisdiction under Section 1(b) of the NGA. EGCG states that after abandonment of MOPS by Northern and its transfer to EGCG, it will still be subject to the Outer Continental Shelf Lands Act (OCSLA). EGCG asserts that it will provide open and nondiscriminatory access to all shippers in accordance with Section 5(f) of the OCSLA by offering gathering, treating, dehydrating and compression services to producers and shippers seeking such services.

EGCG submits that MOPS meets the criteria of "gathering facilities" under Section 1(b) of the NGA as interpreted by the Commission under the "modified primary function" test, as set forth in *Amerada Hess Corp., et al.*, as amended. 52 FERC ¶ 61,268 (1990). EGCG notes that the pipeline diameters in MOPS vary from 4" for the smallest tie lines up to 24" for the final segment of the line which gathers the gas before being dehydrated and delivered to any of seven onshore delivery points on interstate and intrastate downstream pipelines. EGCG states that the diameter of the larger lines is simply a function of the number of tie lines and wells, the

fact that it is an offshore pipeline and the distance of the gas from interconnecting points to the market. EGCG argues that it must be recognized that the capacity of a given pipeline is a function not only of the diameter of the pipe, but also of the pressure at which the line is operated and the geographic area where it is located. EGCG notes that, typically, pipelines operating in the Gulf Coast are operated at high pressures.

EGCG relates that the central point for this analysis is Tivoli. EGCG says that the system's configuration is similar to that in *Koch Hydrocarbon Corp.*, 59 FERC ¶ 61,110 (1992), where the Commission found as significant the fact that the stubs downstream of a plant were relatively short in length as compared to the remaining gathering system. EGCG states the minimal facilities downstream of Tivoli are necessary for the gas production to reach various interconnection facilities. EGCG states that the geographic configuration is similar to an inverted "y", typical of other offshore systems found to be gathering, and that the aggregate length of all the gathering pipeline in MOPS is 101 miles which EGCG says supports a finding that the configuration of the system and the distance between the area of production and the nearest interconnecting points with transmission facilities of an interstate or intrastate pipeline are consistent with the criteria which constitutes gathering.

EGCG indicates that the wells attached to MOPS are located throughout the Texas Gulf Coast producing areas where Northern operates its MOPS facilities. EGCG states that the MOPS facilities gather gas from various producing areas in the OCS for ultimate delivery to Tivoli, and redelivery to any of seven onshore transporters. EGCG further relates that the gas flowing through the system is unprocessed gathered gas, and if compressor facilities are needed, the gas is compressed on Northern's MAT 686 platform to a pressure sufficient to allow the gas to flow into the downstream onshore dehydration facilities and to third party separation facilities located onshore at Tivoli or to onshore delivery points. EGCG says the pressure at which MOPS usually operates is 1,200 psig, which the Commission has found to be consistent with that of offshore gathering systems. Finally, EGCG relates that upon EGCG's purchase of MOPS, those facilities will be owned and operated by an entity which will be engaged in the gathering of natural gas on the OCS as its primary business.

EGCG requests that its petition be consolidated with Northern's abandonment application filed in Docket No. CP95-519-000 which involves the abandonment by sale of what is commonly known as Northern's MOPS facilities.

Comment date: June 22, 1995, in accordance with the first subparagraph of Standard Paragraph F at the end of this notice.

5. Northern Natural Gas Company

[Docket No. CP95-517-000]

Take notice that on May 25, 1995, Northern Natural Gas Company, (Northern), P.O. 3330, Omaha Nebraska 68103-0330, filed in Docket No. CP95-517-000 a request for an order declaring that certain facilities be functionalized as transmission facilities for rate purposes and requests expedited action, all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

Northern lists certain facilities in its Exhibit 1 and states that such facilities are located on Northern's transmission system and perform purification and/or dehydration of natural gas in interstate commerce. Northern states that application of the primary function test leads to the conclusion that these facilities serve transmission-related functions and, therefore, the costs associated with the facilities are appropriately recovered in Northern's transmission rates.

Comment date: June 22, 1995, in accordance with Standard Paragraph F at the end of this notice.

6. Transwestern Pipeline Company

[Docket No. CP95-518-000]

Take notice that on May 25, 1995, Transwestern Pipeline Company (Transwestern), 1400 Smith Street, P.O. Box 1188, Houston, Texas 77251-1188, filed in Docket No. CP95-518-000 a request pursuant to Sections 157.205 and 157.211 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.211) for authorization to construct and operate two taps and two valves as a new point of delivery in Mohave County, Arizona under Transwestern's blanket certificate issued in Docket No. CP82-534-000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Transwestern proposes to install and operate two taps and two side valves as a new point of delivery to North Star Steel Company.

Comment date: July 17, 1995, in accordance with Standard Paragraph (G) at the end of this notice.

7. Northern Natural Gas Company

[Docket No. CP95-519-000]

Take notice that on May 25, 1995, Northern Natural Gas Company (Northern), 1111 South 103rd Street, Omaha, Nebraska 68124-1000, filed, in Docket No. CP95-519-000, an application pursuant to Section 7(b) of the Natural Gas Act (NGA) and Part 157 of the Commission's Regulations for permission and approval to abandon, by sale to Enron Gulf Coast Gathering, Limited Partnership (EGCG), its interest in certain compression, pipeline, and dehydration facilities, with appurtenances, located in offshore and onshore Texas, and more commonly known as Northern's Matagorda Offshore Pipeline System (MOPS) facilities, as more fully set forth in the application which is on file with the Commission and open to public inspection.

Northern states that the MOPS facilities are non-contiguous to Northern's traditional transmission pipeline system and are no longer needed by Northern as its role in the marketplace has changed from a merchant of natural gas to a transporter of natural gas. Northern relates that the MOPS facilities are located on the Outer Continental Shelf (OCS) and are subject to Sections 5(e) and 5(f) of the OCS Lands Act (OCSLA), 43 USC § 1334 (e) and (f). Northern states that it proposes to transfer its interest in the MOPS facilities to an affiliated company, EGCG, which will operate the facilities on a non-jurisdictional basis. Northern notes that upon its abandonment of the facilities, EGCG will be subject to the OCSLA.

Northern states it is currently providing transportation service on the facilities which will be terminated on the effective date of the sale of the MOPS facilities to EGCG. Northern says that EGCG will assume Northern's obligations and perform the services needed as non-jurisdictional gathering services during the remaining term for any transportation contracts whose primary terms have not expired by the effective date of the sale. Northern has submitted in Exhibit U, Part 2, a proposed default agreement to be used by EGCG to provide continuity of service to existing customers utilizing the MOPS facilities.

Northern says it will be seeking abandonment of Rate Schedule X-87 (an exchange agreement with TGPL) and Rate Schedule X-103 (an exchange agreement with Pan-Alberta Gas Inc.),

both which contain receipt and delivery points on the MOPS facilities. Northern requests that if abandonment authorization for these two rate schedules has not been received prior to the approval of the instant application, that abandonment authorization be issued concurrently.

Exhibit T to the application identifies the receipt and delivery points on MOPS facilities which Northern will eliminate upon abandonment.

Exhibit X to the application contains pro forma tariff sheet No. 221 to be included in Northern's FERC Gas Tariff, Fifth Revised Volume No. 1. The pro forma tariff sheet sets forth language for standards of conduct for affiliate gathering consistent with recent Commission direction. *Field Gas Gathering Inc.*, 67 FERC ¶ 61,259 (1994).

Northern states that EGCG will be assuming the entire economic risk of the MOPS facilities and any remaining service obligations associated with the MOPS facilities. Northern asserts that it will not seek any Order No. 636, *et al.* stranded facility costs associated with its MOPS facilities.

Northern requests that its petition in Docket No. CP95-519-000 be consolidated with EGCG's Petition for a Declaratory Order in Docket No. CP95-516-000 which seeks a determination that the MOPS facilities, once conveyed to EGCG, are gathering facilities not subject to the Commission's jurisdiction pursuant to Section 1(b) of the NGA.

Comment date: June 22, 1995, in accordance with Standard Paragraph (F) at the end of this notice.

8. Northwest Pipeline Corporation

[Docket No. CP95-521-000]

Take notice that on May 25, 1995, Northwest Pipeline Corporation (Northwest), 295 Chipeta Way, Salt Lake City, Utah 84158, filed in Docket No. CP95-521-000 a request pursuant to Sections 157.205, 157.211 and 157.216 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.211) for authorization to abandon delivery point facilities and construct and operate replacement facilities in Snohomish County, Washington, to accommodate deliveries of natural gas to Cascade Natural Gas Corporation (Cascade), under Northwest's blanket certificate issued in Docket No. CP82-433-000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Northwest proposes to modify its existing Deming Meter Station by replacing obsolete metering facilities

with new ones. It is stated that the replacement is necessary to accommodate more efficient deliveries to Cascade and to increase the capacity of the meter station. The cost of the proposed modification of facilities is estimated at \$46,020, including both removal and construction. It is asserted that Northwest is authorized to provide a firm transportation service for Cascade under the terms of its Rate Schedules TF-1 and TF-2. It is asserted that no significant impact on Northwest's peak day or annual deliveries will result from the proposed modification of the Deming Meter Station.

Comment date: July 17, 1995, in accordance with Standard Paragraph (G) at the end of this notice.

9. Williams Natural Gas Company

[Docket No. CP95-525-000]

Take notice that on May 25, 1995, Williams Natural Gas Company (WNG), P.O. Box 3288, Tulsa, Oklahoma 74101, filed in Docket No. CP95-525-000 a request pursuant to Sections 157.205, 157.216, 157.208 and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.216, 157.208, 157.212) for authorization: (1) to abandon approximately 3.7 miles of WNG's South Iola 8-inch pipeline and to construct and operate approximately 3.7 miles of replacement 6-inch pipeline; (2) to construct approximately 1.2 miles of 6-inch pipeline to connect WNG's existing Iola 8-inch pipeline and its new South Iola 6-inch pipeline; (3) to relocate two domestic customers and the Western Resources, Inc. Dry Lake town border from the South Iola 8-inch pipeline to the new 6-inch pipeline and (4) to relocate the Coffman meter setting from the Iola 8-inch pipeline to the new South Iola 6-inch pipeline, all located in Allen County, Kansas, under WNG's blanket certificate issued in Docket No. CP82-479-000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

WNG states that since it will operate the new 6-inch pipeline at a higher pressure than the existing 8-inch pipeline, it does not anticipate any change in delivery capability. WNG estimates the total construction cost to be \$803,000.

Comment date: July 22, 1995, in accordance with Standard Paragraph (G) at the end of this notice.

10. Columbia Gas Transmission Corporation

[Docket No. CP95-527-000]

Take notice that on May 26, 1995, Columbia Gas Transmission Corporation (Columbia), P.O. Box 1273, Charleston, West Virginia 25325-1273, filed in Docket No. CP95-527-000 an abbreviated joint application pursuant to Section 7(b) of the Natural Gas Act, as amended, and Sections 157.7 and 157.18 of the Federal Energy Regulatory Commission's (Commission) regulations thereunder, for permission and approval to abandon a natural gas transportation service for Weirton Steel Corporation (Weirton Steel)¹, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Columbia states that it received up to 35,000 Dth per day of gas for Weirton Steel's account from Kentucky-West Virginia Gas Company (Kentucky West) at existing points of interconnection near Maytown or Dwale, Floyd County, Kentucky. It is indicated that Columbia then transported this gas under authority granted by the Commission in Docket No. CP83-364-000² and under Rate Schedule X-111 on an interruptible basis, less retainage, for the account of Weirton Steel to Mountaineer Gas Company (Mountaineer)³ for ultimate delivery to Weirton Steel's plant in Weirton, West Virginia. Columbia further states that its obligation to transport the gas was subject to the limits of available capacity in its existing facilities, to its obligation to customers served pursuant to its FERC Gas Tariff, Volume No. 1, to the transportation of Columbia's own gas production and purchases, and to precedent transportation and exchange agreements.

Columbia indicates that it provided written notice to National Steel and to Weirton Steel on July 6, 1993, of termination of the transportation agreement. Columbia states that volumes were last transportation under Rate Schedule X-111 in January 1983 and there are no outstanding imbalances.

Comment date: June 22, 1995, in accordance with Standard Paragraph (G) at the end of this notice.

Standard Paragraphs

F. Any person desiring to be heard or to make any protest with reference to said application should on or before the comment date, file with the Federal

¹ Formerly National Steel Group

² See order at 27 FERC ¶ 61,368 (1984)

³ Formerly Columbia Gas of West Virginia, Inc.

Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and/or permission and approval for the proposed abandonment are required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

Linwood A. Watson, Jr.,
Acting Secretary.

[FR Doc. 95-14058 Filed 6-7-95; 8:45 am]

BILLING CODE 6717-01-P

[Project No. 11265-001 Oregon]

Portland General Electric Co.; Notice of Surrender of Preliminary Permit

June 2, 1995.

Take notice that Portland General Electric Company, Permittee for the Clackamas Creeks Project No. 11265, has requested that its preliminary permit be terminated. The preliminary permit for Project No. 11265 was issued June 29, 1992, and would have expired May 31, 1995. The project would have been located on the Clackamas River, Clackamas County, Oregon.

The Permittee filed the request on May 15, 1995, and the preliminary permit for Project No. 11265 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR Part 4, may be filed on the next business day.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 95-14027 Filed 6-7-95; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-5219-3]

Notice of Meeting on Targeted Legislative Changes to RCRA

AGENCY: U.S. Environmental Protection Agency.

ACTION: Notice of meeting.

SUMMARY: On April 28, 1995, EPA announced in the **Federal Register** (volume 60, No. 82: 20992) an opportunity for interested individuals to present their ideas and suggestions for improving the solid and hazardous waste system under RCRA. This notice announces an additional meeting that EPA has scheduled for June 13, 1995. This additional meeting will focus primarily on issues faced by communities and small businesses. A limited number of individuals have been invited to sit on a panel and participate in a public, facilitated dialogue on various issues. Space is available for other members of the public to observe and comment on the dialogue as well. EPA's notice of April 28, 1995 also provided information on the initiative, and solicited input from all interested individuals.

DATES: EPA will accept public comments on this initiative until June 15, 1995. Both written and electronic comments must be submitted on or before this date.

An additional public panel discussion has been scheduled. Representatives from a cross-section of communities, local environmental interest groups, Environmental Justice groups, small businesses and states will be invited to participate in a panel discussion. There will also be an opportunity for public comment.

ADDRESSES: The Meeting (open to the public) will be held as follows: June 13, 1995, 9 a.m. until 4 p.m., Crystal City Marriott, 1999 Jefferson Davis Highway, Washington, DC 22202. Commenters must send an original and two copies of their comments referencing docket number F-95-LRRA-FFFFF to: RCRA Docket Information Center (5305), Office of Solid Waste (5305), U.S. Environmental Protection Agency (EPA, HQ), 401 M Street, SW., Washington, DC 20460.

Comments also may be submitted electronically by sending electronic mail to RCRA-Docket@epamail.epa.gov. Comments in electronic format should also be identified by the docket number F-95-LRRA-FFFFF. All electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Comments will also be accepted on 3.5" disks in WordPerfect in 5.1 file format or ASCII file format.

Commenters should not submit electronically any Confidential Business Information (CBI). An original and two copies of CBI must be submitted under separate cover to: RCRA CBI Control Officer, Office of Solid Waste (5305), U.S. EPA, 401 M Street, SW., Washington, DC 20460.

Public comments and relevant documents are available for viewing in the RCRA Information Center (RIC) located in room M2616, at the EPA address listed above. The RIC is open from 9 a.m. to 4 p.m. Monday through Friday, excluding Federal holidays. To review docket materials, the public must make an appointment by calling (202) 260-9327. Materials may be copied for \$0.15 per page. Charges under \$25.00 are waived. For information on accessing paper and/or electronic copies of the materials, see the **SUPPLEMENTARY INFORMATION** Section.

Individuals interested in the June 13 meeting should contact Denise Madigan of JAMS-ENDISPUTE at (202) 942-9180 if you wish to attend, as space may be limited.